



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

Los Angeles River Center and Gardens

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MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: January 12, 2007

SUBJECT: **Agenda Item VII: Consideration of adoption of Ordinance No. 01-2005 (as amended) regarding park rules and regulations, waive second reading and introduce Ordinance No. 01-2005 (as amended), "An Ordinance of the Mountains Recreation and Conservation Authority amending the Mountains Recreation and Conservation Authority Ordinance establishing park rules and regulations, and prescribing the punishment for violations thereof." Ordinance No. 01-2005 (as amended) modifies existing Ordinance No. 01-2005.**

Staff Recommendation: That the Governing Board waive second reading, introduce and discuss Ordinance No. 01-2005 (as amended), "An Ordinance of the Mountains Recreation and Conservation Authority establishing park rules and regulations, and prescribing the punishment for violations thereof.

Legislative Authority: Public Resources Code Section 5782.21 provides, in part, as follows:

Districts may adopt and enforce all rules, regulations, ordinances, and bylaws necessary for the administration of government, and protection of the property, improvements, and facilities under the management or belonging to the district.

Government Code Section 53069.4 provides, in part, as follows:

The legislative body of a local agency, as the term "local agency" is defined in Section 54951, may by ordinance make any violation of any ordinance enacted by the local agency subject to an administrative fine or penalty. The local agency shall set forth by ordinance the administrative procedures that shall govern the imposition, enforcement, collection, and administrative review by the local agency of those administrative fines or penalties.

Public Resources Code Section 5786.17(c) provides, in part, as follows:

To protect property and to preserve the peace at recreational facilities and other property owned or managed by the district, the Board of Directors may confer on designated uniformed district employees the power to issue citations for misdemeanor and infraction violations of state law, city or county ordinances, or District rules, regulations, or ordinances...

Procedure for Adoption: Pursuant to procedures adopted by the Conejo Recreation and Park District, the MRCA may adopt an ordinance after a first and second public reading, approval by the Governing Board, and the publishing of the adopted ordinance. The MRCA has sought the opinion of outside legal counsel on this matter, and it is their opinion that this procedure complies with all applicable laws.

Background: Proposed Ordinance No. 01-2005 (as amended), modifies existing ordinance language to provide for several changes, including but not limited to, an automated traffic enforcement program, encroachment protection language, and regulating commercial trucking activity.

The proposed ordinance is attached hereto.